

NEW HAMPSHIRE LAW LIBRARY

1952

SEP 03 1998

January 11

CONCORD, N.H.

Mrs. Edna Annis Elwell, Secretary,
New Hampshire Teachers Retirement System
State House Annex

Dear Mrs. Elwell:

You have inquired as to whether or not any moneys might be taken from the Teachers Retirement System under the provisions of c. 246, s. 5, Laws of 1951.

S. 5 of c. 246 provides in part that the Governor with the advice and consent of the Council is authorized to transfer from special funds of the Teachers Retirement Board moneys necessary to provide salary increases. By its terms the operation of s. 5 is limited to special funds of the Teachers Retirement Board. The Teachers Retirement Board receives no special funds from any source; consequently, no moneys could be used from the appropriation of the Teachers Retirement Board to provide salary increases. The moneys necessary, therefore, would become a charge upon the general funds of the State in accordance with the last sentence of s. 5.

It is apparent that the inclusion of the Teachers Retirement Board in this section is an error, for the other departments and commissions specified are all departments or commissions which do receive special funds by way of licensing fees, etc.

Very truly yours,

Henry Dowst, Jr.
Assistant Attorney General

HDJr:EP

CC: Winfield Phillips, State Treasurer

Arther E. Bean, Comptroller